

United States District Judge Barbara Jacobs Rothstein

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

EZINAH NYANCHAMA NYANCHWANI,

Plaintiff,

v.

ALEJANDRO MAYORKAS, *et al.*,

Defendants.

Case No. 2:24-cv-01041-DWC

STIPULATED MOTION TO HOLD
CASE IN ABEYANCE AND ORDER

Plaintiff and Defendants, by and through their counsel of record, pursuant to Federal Rule of Civil Procedure 6 and Local Rules 7(d)(1), 10(g) and 16, hereby jointly stipulate and move to stay these proceedings until November 20, 2024. Plaintiff brought this litigation pursuant to the Administrative Procedure Act, *inter alia*, to compel U.S. Citizenship and Immigration Services (“USCIS”) to adjudicate her asylum application. The parties are currently working towards a resolution to this litigation. For good cause, the parties request that the Court hold the case in abeyance until November 20, 2024.

Courts have “broad discretion” to stay proceedings. *Clinton v. Jones*, 520 U.S. 681, 706 (1997). “[T]he power to stay proceedings is incidental to the power inherent in every court to control the disposition of the causes on its docket with economy of time and effort for itself, for

1 counsel, and for litigants.” *Landis v. N. Am. Co.*, 299 U.S. 248, 254 (1936); *see also* Fed. R.
2 Civ. P. 1.

3 With additional time, this case may be resolved without the need of further judicial
4 intervention. USCIS has scheduled Plaintiff’s asylum interview for August 22, 2024. USCIS
5 agrees to diligently work towards completing the adjudications within 90 days of the interview,
6 absent unforeseen or exceptional circumstances that would require additional time for
7 adjudication. If the adjudication is not completed within that time, USCIS will provide a status
8 report to the Court. Plaintiff will submit all supplemental documents and evidence, if any, to
9 USCIS seven to ten days prior to the interview date. Plaintiff recognizes that failure to submit
10 documents prior to the interview may require the interview to be rescheduled and the
11 adjudication delayed. If needed, Plaintiff will bring an interpreter to the interview, otherwise
12 the interview will need to be rescheduled and the adjudications delayed. Once the application is
13 adjudicated, Plaintiff will dismiss the case. Accordingly, the parties request this abeyance to
14 allow USCIS to conduct Plaintiff’s asylum interview and then process her asylum application.

15 As additional time is necessary for this to occur, the parties request that the Court hold
16 the case in abeyance until November 20, 2024. The parties will submit a status update on or
17 before October 7, 2024.

18 //

19 //

20 //

1 Dated: August 2, 2024

2 Respectfully submitted,

3 TESSA M. GORMAN
4 United States Attorney

LAW OFFICES OF BART KLEIN

s/ Michelle R. Lambert

s/ Bart Klein

5 MICHELLE R. LAMBERT, NYS #4666657
6 Assistant United States Attorney
7 United States Attorney's Office
8 Western District of Washington
9 1201 Pacific Avenue, Suite 700
Tacoma, Washington 98402
Phone: (253) 428-3824
Fax: (253) 428-3826
Email: michelle.lambert@usdoj.gov

BART KLEIN, WSBA #10909
605 First Avenue South, Suite 500
Seattle, WA 98104
Phone: (206) 624-3787
Fax: (206) 238-9975
Email: Bart.Klein@bartklein.com

Attorney for Plaintiff

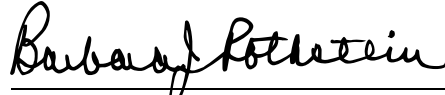
10 *Attorneys for Defendants*

11 ***I certify that this memorandum contains 369***
12 ***words, in compliance with the Local Civil***
Rules.

ORDER

IT IS HEREBY ORDERED the case is held in abeyance until November 20, 2024. The parties shall submit a status update on or before November 7, 2024.

DATED this 14th day of August, 2024.


Barbara Jacobs Rothstein
U.S. District Court Judge